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WORLD CONFERENCE AGAINST RACISM
RACIAL DISCRIMINATION, XENOPHOBIA
AND RELATED INTOLERANCE

Preparatory Committee
Third session
Geneva, 30 July-10 August 2001

REPORT OF THE PREPARATORY COMMITTEE ON ITS THIRD SESSION

Vice-Chairperson-Rapporteur: Mr. Arturo HERNÁNDEZ BASAVE (Mexico)

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I. ORGANIZATION OF THE SESSION

1. The Preparatory Committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held its third session in Geneva from 30 July to 10 August 2001, pursuant to its decision PC.2/4, adopted at its second session. It held two plenary meetings during the session. The Preparatory Committee adopted two decisions. For the texts, see annex I.

A. Opening of the session

2. The session was opened by Ms. Rajmah Hussain, Vice-Chairperson of the Preparatory Committee, who made a statement as acting Chairperson. The United Nations High Commissioner for Human Rights and Secretary-General of the World Conference, Ms. Mary Robinson, also made a statement.

B. Attendance

3. The session was attended by representatives of the following States Members of the United Nations and of specialized agencies and Palestine, United Nations bodies, specialized agencies, intergovernmental organizations, other entities, human rights bodies and mechanisms and non-governmental organizations:

States

Afghanistan, Albania, Algeria, Angola, Argentina, Armenia, Austria, Australia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Haiti, Holy See, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

Other

Palestine.

United Nations

Joint United Nations Programme on HIV/AIDS (UNAIDS), Office of the United Nations High Commissioner for Refugees, United Nations Centre for Human Settlements (HABITAT), United Nations Development Fund for Women, United Nations Development Programme, United Nations Economic and Social Commission for Western Asia, United Nations Non-Governmental Liaison Service.

United Natiens human rights bodies and mechanisms

Committee against Torture, Committee on the Elimination of Racial Discrimination, Sub-Commission on the Promotion and Protection of Human Rights, Working Group on Indigenous Populations.

Specialized agencies

International Labour Organization, International Monetary Fund, United Nations Educational, Scientific and Cultural Organization, World Bank, World Health Organization.

Intergovernmental organizations

Council of Europe, European Community, European Monitoring Centre on Racism and Xenophobia, International Organization for Migration, League of Arab States, Organisation Internationale de la Francophonie, Organization of African Unity, Organization of the Islamic Conference.

Other entities

International Committee of the Red Cross, International Federation of Red Cross and Red Crescent Societies.

National and regional human rights institutions

Comité international de coordination des institutions nationales.

Non-governmental organizations in consultative status with the Economic and Social Council

General consultative status

Al-Khoei Foundation, Brahma Kumaris World Spiritual University, Commission of the Churches on International Affairs of the World Council of Churches, Europe Third-World Centre, Franciscans International, International Confederation of Free Trade Unions, International Alliance of Women, International Save the Children Alliance, World Federation of Democratic Youth.

Special consultative status

Aboriginal and Torres Strait Islander Commission, Admiral Family Circle Islamic Community, African Commission of Health and Human Rights Promoters, Agencia Latinamericana de Información, American Psychological Association, Amnesty International, Arab Organization for Human Rights, Art of Living Foundation, Association algérienne d'alphabétisation, Association nationale de soutien aux enfants en difficulté et en institution, Baha'i International Community, Cairo Institute for Human Rights Studies, Canadian Labour Congress, Catholic Organisation for Relief and Development (CORDAID), Church World Services, Comision Juridica para el Autodesarrollo de los Pueblos Originarios Andinos "CAPAJ", Comité d'action pour les droits de l'enfant et de la femme, Coordinating Board of Jewish Organizations, English International Association of Lund, European Youth Forum, Fédération européenne des femmes actives au foyer, Fédération internationale des ligues des droits de l'homme, Femmes afrique solidarité, Friends World Committee for Consultation (Quakers), Hadassah - The Women's Zionist Organization of America, Human Rights Watch, Indian Movement "Tupaj Amaru", Indigenous World Association, Interfaith International, International Council of Jewish Women, International Human Rights Law Group, International Indian Treaty Council, International Work Group for Indigenous Affairs, Isis International, Isis - International Women's Information and Communication Service, MADRE, National Aboriginal and Torres Islanders Legal Services Secretariat, North-South XXI, Pax Romana, Penal Reform International, Presbyterian Church (USA), Susila Dharma International Association, TIYE International, United for Intercultural Action, United Methodist Church - General Board of Global Ministries, Women in Law and Development in Africa, Women's International Zionist Organization, Women's International League for Peace and Freedom, World Student Christian Federation, World Association of Community Radio Broadcasters.

Roster

All for Reparations and Emancipation, Armenian Relief Society Inc., Grand Council of the Crees (Eenou Astchee), Instituto Brasileiro de Analises Sociais e Econômicas, International Movement against All Forms of Racism and Discrimination, Indian Law Resource Centre, Minority Rights Group International, Movement against Racism and for Friendship among Peoples, National Federation of Youth Organizations in Bangladesh, United Nations Association of Sweden.

Non-governmental organizations not in consultative status with the Economic and Social Council authorized to participate

ADALAH - The Legal Center for Arab Minority Rights in Israel, Advocacy for Women in Africa, African American Policy Forum, African Canadian Legal Clinic, African Centre for Democracy and Human Rights Studies, African Indigenous and Minority Peoples Organisation, American Friends Service Committee, Anti-Defamation League of B'nai Brith, Anti-Discriminatie Bureau Frystan, Antirasistisk Senter, Applied Research Center, Asia Indigenous Peoples Pact, Asian Indigenous and Tribal Peoples Network, Asociación de Mujeres Afrocolombianas, Asociación Indígena de la República Argentina, Asociación para el Desarrollo de la Mujer Negras Costa, Assembly of First Nations, Bangladesh Human Rights Commission, B'nai Brith Canada, Bulgarian Gender Research Foundation, Bund Gegen Ethnische Diskriminierung in der Bundersrepublik Deutschland, Canadian Association of

Statutory Human Rights Agencies, Canadian Ethnocultural Council, Centre indépendant de recherches et d'initiatives pour le dialogue, Centro Feminista de Estudos e Assessoria, Centro Studi per l'Evoluzione Umana, Centrum Informatie en Documentatie Israel, Comité algérien des droits de l'homme et des peuples, Congrès mondial Amazigh, Cooperativa Tecnico Scientifica de Base, CRIOLA, Covcas Center for Law and Conflict Resolution, Environment and Justice Society, Escritorio Nacional para Asuntos da Populacao Negra - Zumbi dos Palmares, Espacio Afroamericano, European Jewish Congress, European Network against Racism, European Roma Rights Centre, Éveil de la femme, FALA PRETA-Organizacao de Mulheres Negras, Forum contre le racisme, Forum-Menschenrechte, Fundación Misión la Paz, GELEDES - Instituto da Mulher Negra, Greenwich Council for Racial Equality, Human Rights Centre - University of Essex, Institute on Race, Health Care and the Law - University of Dayton, Instituto Sindical Interamericano pela Igualdade Racial, Instituto Socioambiental, International Campaign for Tibet, International Council on Human Rights Policy, International Possibilities Unlimited, KOK - Federal Association against Traffic in Women and Violence against Women in the Migration Process, Law - The Palestinian Society for the Protection of Human Rights and the Environment, Leadership Conference on Civil Rights, Migrants Rights International, Minorities of Europe, Movement for the Protection of the African Child, Mundo Afro, National Bureau against Racial Discrimination, National Campaign on Dalit Human Rights, National Urban League, Native American Rights Fund, Netherlands Centre for Indigenous Peoples, Organisation marocaine des droits humains, Organización de Desarrollo Etnico Comunitario, Organization for Defending Victims of Violence, Peace Center of Iran, Peoples Watch - Tamil Nadu, Red de Mujeres Afrocaribenas y Afrolatinoamericanas, Rencontre africaine pour la défense des droits de l'homme, ROM-STAR Organization, Roy Wilkins Center for Human Relations and Social Justice, Roma Center for Public Policies "Aven Amentza", Runnymede Trust, SATRA/ASTRA - The Roma Students and Youth Alliance against Racism, Sikh Human Rights Group, South African National NGO Coalition, Stichting Magenta, Stichting Pro Job, Union of Arab Community Based Associations - ITTIJAH, Unrepresented Nations and Peoples Organization, UN - Watch, Women's Institute for Leadership Development for Human Rights, World Youth Federation, YAAKAARE - Réseau Euroafricain pour le développement intégré, les droits de l'homme et les relations interculturelles, Youth Helsinki Citizen's Assembly of Moldova.

C. Adoption of the agenda

4. At its second session, in its decision PC.2/6, the Preparatory Committee adopted a provisional agenda for its third session. At the 1st meeting of the third session, on 30 July 2001, the Preparatory Committee had before it the provisional agenda and annotations thereto, prepared by the Secretary-General in accordance with rule 5 of the rules of procedure (A/CONF.189/PC.3/1 and Add.1).

5. The Preparatory Committee adopted its agenda without a vote. For the text, see annex II.

II. ORGANIZATION OF WORK

A. Methods of work

6. The Preparatory Committee considered agenda item 3 at its 1st meeting, on 30 July 2001.

7. At the same meeting, the Preparatory Committee decided without a vote to establish two open-ended working groups to begin work on 30 July 2001, one on the draft declaration and the other on the draft programme of action. For the text, see annex I, decision PC.3/1. The two working groups were to base their discussions on the documents prepared by the Group of 21 (A/CONF.189/PC.3/7 and A/CONF.189/PC.3/8 and Corr.1).

8. At the same meeting, the Chair announced that the open-ended working group on the draft declaration would be chaired by Mr. Patrick Hénault, Ambassador of France for Human Rights, and the open-ended working group on the draft programme of action would be chaired by Mr. Gilberto Vergne Saboia, Secretary of State for Human Rights of Brazil and head of the Brazilian delegation.

9. Also at the 1st meeting, the Preparatory Committee accepted the proposal of the Bureau not to hold a general debate.

10. At the same meeting, statements were made by the representative of Belgium on behalf of the European Union.

B. Accreditation of non-governmental organizations

11. At the 1st meeting, on 30 July 2001, the Preparatory Committee considered a note by the secretariat (A/CONF.189/PC.3/Misc.1 and Corr.1) transmitting a list of three categories of non-governmental organizations not in consultative status with the Economic and Social Council which had applied for accreditation to the Preparatory Committee and the World Conference. The first category consisted of non-governmental organizations which had been approved by the Bureau of the Preparatory Committee for accreditation on the basis of Economic and Social Council resolution 1996/31 of 25 July 1996, which provides for non-governmental organizations not in consultative status with the Council to request special accreditation for world conferences and their preparatory processes. The second category consisted of one non-governmental organization, the International Lesbian and Gay Association, which was the subject of objections by Governments, in accordance with paragraph 46 of Economic and Social Council resolution 1996/31. This case was brought before the Preparatory Committee, pursuant to its decision PC.1/5, for final decision. The third category consisted of three non-governmental organizations concerning which the Permanent Mission of Bangladesh had requested additional information. Further to the provision of that information, the Permanent Mission of Bangladesh, while expressing some concern about their participation in the Conference, did not object to their participation.

12. The Preparatory Committee examined the case of the International Lesbian and Gay Association. In a note verbale to the secretariat, the Government of Malaysia on behalf of the Organization of the Islamic Conference had objected to the application of the non-governmental organization for accreditation. The representative of Malaysia made a statement explaining the reasons for the objection.

13. At the request of the representative of Belgium (on behalf of the European Union), a vote was taken. The representative of Malaysia requested a roll-call vote. Accreditation was rejected by 43 votes to 43, with 27 abstentions. The voting was as follows:

In favour: Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, Colombia, Croatia, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Switzerland, The former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Algeria, Angola, Bahrain, Bangladesh, Botswana, Brunei Darussalam, China, Democratic People's Republic of Korea, Egypt, Gabon, Ghana, Holy See, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mongolia, Morocco, Namibia, Nepal, Nigeria, Pakistan, Saudi Arabia, Senegal, Singapore, Sri Lanka, Sudan, Syrian Arab Republic, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam.

Abstaining: Argentina, Armenia, Barbados, Bhutan, Bosnia and Herzegovina, Congo, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, Honduras, Mauritius, Mexico, Nicaragua, Panama, Paraguay, Peru, Philippines, Republic of Korea, Russian Federation, Rwanda, South Africa, Thailand, Trinidad and Tobago, Uruguay, Venezuela, Yugoslavia.

14. Statements in explanation of vote before the vote were made by the representatives of Algeria, Mexico and Sri Lanka.

15. At the same meeting statements in explanation of vote after the vote were made by the representatives of India, Cuba and Venezuela.

16. At the same meeting, the representative of Cuba requested that his view be placed on record that the secretariat should not have requested a vote on the accreditation of the International Lesbian and Gay Association, a non-governmental organization that had had its consultative status suspended by the Economic and Social Council, subject to discussion in the Council session to be held in January 2002. The representative of Australia mentioned that it was the Preparatory Committee which had requested a vote and not the secretariat.

III. REVIEW OF REPORTS, STUDIES AND OTHER DOCUMENTATION FOR THE PREPARATORY COMMITTEE AND THE WORLD CONFERENCE

17. The Preparatory Committee considered agenda item 4 at its 1st meeting, on 30 July 2001.

18. For the list of documents issued for the third session of the Preparatory Committee, see annex III.

IV. DRAFT DECLARATION AND PROGRAMME OF ACTION

19. The Preparatory Committee considered agenda item 5 at its 1st and 2nd meetings, on 31 July 2001 and 10 August 2001. At the 1st meeting, the Chairman of the Group of 21, Mr. Pitso Montwedi, presented the following documents prepared by the Group or its Chairperson: A/CONF.189/PC.3/6 and Add.1, "Explanatory note by the Chairman on the proceedings of the Group of 21"; A/CONF.189/PC.3/7, "Draft declaration: proposals made by the Group of 21"; and A/CONF.189/PC.3/8 and Corr.1, "Draft programme of action: proposals made by the Group of 21".

20. The Chairperson of the Group of 21 recalled that at the second session, the Preparatory Committee, in its decision PC.2/1, adopted at the 6th meeting, on 23 May 2001, had decided to establish a working group of 21 States, consisting of four representatives of each region and chaired by South Africa, to meet during the second session of the Preparatory Committee in closed session, with the following mandate: (a) to regroup or cluster paragraphs of the draft declaration and programme of action by theme, idea and subject; (b) to identify duplicated language; and (c) to make proposals on the rationalization and restructuring of both the draft declaration and the programme of action and the possible merging of paragraphs whose elements belonged together, with a view to helping simplify the text and presenting it in a manner which would make it negotiable. The Group of 21 had accomplished part of its work during the second session of the Preparatory Committee.

21. The Chairperson of the Group of 21 further recalled that, at the second session also, the Preparatory Committee had adopted decision PC.2/3, at the 9th meeting, on 1 June 2001, by which it had reconstituted the Group of 21 and provided it with the following mandate: (a) to make proposals for further reorganization of the text including determining the location of paragraphs; (b) to make proposals for merging or consolidating paragraphs; (c) to make proposals for deleting paragraphs; and (d) to make proposals to make the text more compact and workable to facilitate the negotiations. The Preparatory Committee had stated in decision PC.2/3 that the mandate of the Group of 21 would be advisory in nature and that it would not have the power to negotiate. The Group of 21 had met from 5 to 29 June 2001.

22. At the same meeting the Chairman of the Group of 21 expressed his appreciation to the delegations that had participated in the proceedings of the Group and to the members of the Bureau of the Preparatory Committee for their achievements in synthesizing and reorganizing the draft declaration and programme of action. The results of the Group of 21 were now before the two working groups for consideration.

23. At the 2nd meeting, on 10 August 2001, the coordinators of the informal consultations, South Africa on issues relating to the Middle East and Palestine; Brazil on issues relating to the past; and Mexico on the listing of victims of racism, racial discrimination and related intolerance, reported to the Preparatory Committee on the outcome of their consultations.

V. PROVISIONAL AGENDA OF THE WORLD CONFERENCE; PRACTICAL ISSUES

24. The Preparatory Committee considered agenda item 6 at its 2nd meeting, on 10 August 2001, and adopted, without a vote, the provisional agenda for the World Conference. For the text see annex I, decision PC.3/2.

25. At the same meeting, statements were made by the representatives of: Algeria (on behalf of the Arab Group), India (on behalf of the Asian group), Kenya (on behalf of the African Group), Latvia (on behalf of the Eastern European Group), Mexico (on behalf of the Latin American and Caribbean Group) and the United Kingdom of Great Britain and Northern Ireland (on behalf of the Western Group).

VI. ORGANIZATION OF THE WORK OF THE WORLD CONFERENCE AND OTHER MATTERS

26. The Preparatory Committee considered agenda item 7 at its 2nd meeting, on 10 August 2001. The Chairperson informed the Preparatory Committee that the Bureau had proposed the establishment of two open-ended working groups for the World Conference, one on the draft declaration and the other on the draft programme of action.

27. At the same meeting, the Preparatory Committee considered the provisional programme of work of the World Conference, prepared by the secretariat, and decided to recommend it for the approval of the World Conference. For the text see annex IV.

VII. ADOPTION OF THE REPORT OF THE PREPARATORY COMMITTEE TO THE GENERAL ASSEMBLY

28. At its 2nd meeting, on 10 August 2001, the Preparatory Committee considered the draft reports of the open-ended working group on the draft declaration and the open-ended working group on the draft programme of action, presented by the respective Chairpersons, Mr. Patrick Hénault, Ambassador of France for Human Rights and Mr. Gilberto Vergne Saboia, Secretary of State for Human Rights of Brazil, contained in documents A/CONF.189/PC.3/L.1/Add.1 and Add.2 and additional texts distributed at the 2nd meeting incorporating work done by the working groups after the issuance of those documents. The Preparatory Committee adopted the reports without a vote, including amendments made by the Preparatory Committee. The Preparatory Committee then considered the draft report on the work of its third session (A/CONF.189/PC.3/L.1) and adopted it without a vote. The report of the open-ended working group on the draft declaration is attached as annex V and the report of the open-ended working group on the draft programme of action is attached as annex VI.

29. At the same meeting, statements were made by the representatives of Algeria (on behalf of the Arab Group), Barbados, Brazil, Canada, Cuba, El Salvador, India (on behalf of the Asian group), Israel, Kenya (on behalf of the African Group), Malaysia (on behalf of the Organization of the Islamic Conference), Latvia (on behalf of the Eastern European Group), Mexico (on behalf of the Group of Latin American and Caribbean States), New Zealand, Palestine, Pakistan, Peru, the Russian Federation, Slovakia (on behalf of the Central European Group), the Syrian Arab Republic, the United Kingdom of Great Britain and Northern Ireland (on behalf of the Western Group) and the United States of America.

Annex I

DECISIONS ADOPTED BY THE PREPARATORY COMMITTEE FOR THE WORLD CONFERENCE AT ITS THIRD SESSION

PC.3/1. Establishment of two open-ended working groups to consider the draft declaration and the draft programme of action

At its 1st meeting, on 30 July 2001, the Preparatory Committee decided, without a vote, to establish two open-ended working groups to begin work on 30 July 2001, one on the draft declaration and the other on the draft programme of action for the World Conference.

PC.3/2. Provisional agenda for the World Conference

At its 2nd meeting, on 10 August 2001, the Preparatory Committee decided, without a vote, to adopt the following provisional agenda for the World Conference:

1. Opening of the Conference.

2. Election of the President.

3. Opening addresses.

4. Adoption of the rules of procedure.

5. Election of the other officers of the Conference.

6. Credentials of representatives to the Conference.

   (a) Appointment of the Credentials Committee;

   (b) Report of the Credentials Committee.

7. Adoption of the agenda.

8. Organization of work.

9. Conference themes:

   Sources, causes, forms and contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance.

   Victims of racism, racial discrimination, xenophobia and related intolerance.

   Measures of prevention, education and protection aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at the national, regional and international levels.

Provision of effective remedies, recourse, redress, [compensatory]* and other measures at the national, regional and international levels.

Strategies to achieve full and effective equality, including international cooperation and enhancement of United Nations and other international mechanisms in combating racism, racial discrimination, xenophobia and related intolerance, and follow-up.

10. Adoption of the final document and the report of the Conference.

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* The square brackets indicate that consensus has not been reached on the word "compensatory".

Annex II

AGENDA

1. Opening of the session.

2. Adoption of the agenda.

3. Organization of work.

4. Review of reports, studies and other documentation for the Preparatory Committee and the World Conference.

5. Draft declaration and programme of action.

6. Provisional agenda for the World Conference; practical issues.

8. Organization of the work of the World Conference and other matters.

9. Adoption of the report of the Preparatory Committee to the General Assembly.

Annex III

LIST OF DOCUMENTS ISSUED FOR THE THIRD SESSION OF THE PREPARATORY COMMITTEE FOR THE WORLD CONFERENCE

Symbol	Agenda item	Title
Documents in the PC.3 series		
A/CONF.189/PC.3/1	2	Provisional agenda
A/CONF.189/PC.3/1/Add.1	2	Annotations to the provisional agenda
A/CONF.189/PC.3/2	4	Contribution of the Committee on Economic, Social, and Cultural Rights: Note by the Secretary-General
A/CONF.189/PC.3/3	4	Contribution of the Committee on the Rights of the Child: Note by the Secretary-General
A/CONF.189/PC.3/4	4	Working paper submitted by Ms. Erica Irene A. Daes (Greece), member of the Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights: Note by the Secretary-General
A/CONF.189/PC.3/5	4	Contribution of Ms. Radhika Coomaraswamy (Sri Lanka), Special Rapporteur of the Commission on Human Rights on violence against women: Note by the Secretary-General
A/CONF.189/PC.3/6	5	Explanatory note by the Chairperson on the proceedings of the Group of 21 concerning the draft declaration
A/CONF.189/PC.3/6/Add.1	5	Explanatory note by the Chairperson on the proceedings of the Group of 21 on the draft programme of action
A/CONF.189/PC.3/7	5	Proposals of the Group of 21 for the draft declaration: Note by the Secretary-General
A/CONF.189/PC.3/8 and Corr.1	5	Proposals of the Group of 21 for the draft programme of action: Note by the Secretary-General

Symbol	Agenda item	Title
Documents in the PC.3 series (contd.)		
A/CONF.189/PC.3/9	6	Draft provisional agenda of the World Conference: Note by the Secretary-General
A/CONF.189/PC.3/10	6	Information note on arrangements for the World Conference: Note by the Secretary-General
A/CONF.189/PC.3/Misc.1 and Corr.1	3	NGO accreditation
A/CONF.189/PC.3/Misc.2	4	Note by the Secretariat on the special debate of the Commission on Human Rights on the theme of tolerance and respect
A/CONF.189/PC.3/Misc.3	3	Letter dated 16 July 2001 from the Permanent Mission of the Kingdom of Bhutan addressed to the United Nations High Commissioner for Human Rights, Secretary-General of the World Conference
A/CONF.189/PC.3/Misc.4	8	Provisional list of attendance
A/CONF.189/PC.3/Misc.5	7	Provisional programme of work
A/CONF.189/PC.3/Misc.6	7	Proposed organization of the list of speakers for the general debate in the plenary of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

Annex IV

PROVISIONAL PROGRAMME OF WORK OF THE WORLD CONFERENCE*

Thursday, 30 August

4-6 p.m.	Informal meeting of the General Committee/Bureau

Friday, 31 August

Morning 9.30-9.50 a.m.	**Opening ceremony** (Plenary Hall)
	Cultural activity: Dance programme by Ballet Theatre Afrikan
10-11.30 a.m.	**Opening session** (Plenary Hall)
	Items 1 to 3: Opening statement of the Secretary-General Opening address by the President of South Africa Election of the President of the World Conference Introductory statement by the President of the World Conference Statement by the President of the General Assembly Statement by the Secretary-General of the World Conference

15-minute suspension

11.45 a.m.-1 p.m.	**Plenary** (Plenary Hall)
	Item 4: Adoption of the rules of procedure Item 5: Election of other officers Item 6 (a): Establishment of the Credentials Committee Item 7: Adoption of the agenda Item 8: Organization of work Establishment of the Main Committee and the Drafting Committee

* Subject to change.

Friday, 31 August (contd.)

Afternoon 3-6 p.m.	**Round table** of Heads of State/Heads of Government (Plenary Hall)
	Main Committee (Room No. 1) followed by: **Drafting Committee**
6-9 p.m.	**Drafting Committee**
	Working Group on the Draft Declaration (Room 1) Working Group on the Draft Programme of Action (Room 2)

Saturday, 1 September

9-10 a.m.	Meeting of the General Committee/Bureau*
10 a.m.-1 p.m.	**Plenary** (Plenary Hall) Item 9: General statements
	Drafting Committee Working Group on the Draft Declaration (Room 1) Working Group on the Draft Programme of Action (Room 2)
3-6 p.m.	**Plenary** Item 9: General statements
	Drafting Committee Working Group on the Draft Declaration (Room 1) Working Group on the Draft Programme of Action (Room 2)
6-9 p.m.	**Plenary** Item 9: General statements

Sunday, 2 September

10 a.m.-1 p.m.	**Plenary** Item 9: General statements
	Drafting Committee Working Group on the Draft Declaration (Room 1) Working Group on the Draft Programme of Action (Room 2)

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* The General Committee will meet thereafter as and when required.

Sunday, 2 September (contd.)

3-6 p.m.	Idem
6-9 p.m.	**Plenary** Item 9: General statements

Monday, 3 September

10 a.m.-1 p.m.	**Plenary** Item 9: General statements **Drafting Committee** Working Group on the Draft Declaration (Room 1) Working Group on the Draft Programme of Action (Room 2)
3-6 p.m.	Idem
6-9 p.m.	**Plenary** Item 9: General statements

Tuesday, 4 September

10 a.m.-1 p.m.	**Plenary** Item 9: General statements
10 a.m.-12 noon	**Drafting Committee** Working Group on the Draft Declaration (Room 1) Working Group on the Draft Programme of Action (Room 2)
12 noon-1 p.m.	**Drafting Committee** followed by: **Main Committee**
3-6 p.m.	**Plenary** Item 9: General statements **Drafting Committee** Working Group on the Draft Declaration (Room 1) Working Group on the Draft Programme of Action (Room 2)
6-9 p.m.	**Plenary** Item 9: General statements

Wednesday, 5 September

10 a.m.-1 p.m.	**Plenary** Item 9: General statements **Drafting Committee** Working Group on the Draft Declaration (Room 1) Working Group on the Draft Programme of Action (Room 2)
3-6 p.m.	Idem
6-9 p.m.	**Plenary** Item 9: General statements

Thursday, 6 September

10 a.m.-1 p.m.	**Plenary** Item 9: General statements **Drafting Committee** Working Group on the Draft Declaration (Room 1) Working Group on the Draft Programme of Action (Room 2)
3-6 p.m.	Idem
6-9 p.m.	**Plenary** Item 9: General statements

Friday, 7 September

10 a.m.-1 p.m.	**Drafting Committee** followed by: **Main Committee** **Credentials Committee** Item 6 (b): Report of the Credentials Committee
3-4 p.m.	**Closing session** Item 10: Adoption of the final document and the report of the Conference
4-5 p.m.	**Closing ceremony** Cultural activity: Musical programme by the Center for Jazz

Annex V

REPORT OF THE OPEN-ENDED WORKING GROUP ON THE DRAFT DECLARATION*

Preamble

PP1 Having met in Durban, South Africa, from 31 August to 7 September 2001; (Adopted by 2nd PrepCom)

PP2 Expressing deep appreciation to the Government of South Africa for hosting the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance; (Adopted by 2nd PrepCom)

PP3 Drawing inspiration from the heroic struggle of the people of South Africa against the institutionalized system of apartheid as well as for equality and justice under democracy, [development], the rule of law and respect for human rights, recalling in this context the important contribution to that struggle of the international community and, in particular, the pivotal role of the peoples and Governments of Africa, and noting the important role that different actors of civil society, including non-governmental organizations, played in that struggle and in ongoing efforts to combat racism, racial discrimination, xenophobia and related intolerance; (Adopted by 2nd PrepCom)

PP4 Recalling that the Vienna Declaration and Programme of Action Adopted by the World Conference on Human Rights in June 1993 calls for the speedy and comprehensive elimination of all forms of racism, racial discrimination, xenophobia and related intolerance; (Adopted by 2nd PrepCom)

PP5 Recalling Commission on Human Rights resolution 1997/74, General Assembly resolution 52/111 and subsequent resolutions of those bodies concerning the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and recalling also the two World Conferences to Combat Racism and Racial Discrimination held at Geneva in 1978 and 1993, respectively; (Adopted by 2nd PrepCom)

P6 Noting with grave concern that despite the efforts of the international community, the principal objectives of the three Decades to Combat Racism and Racial Discrimination have not been attained and that countless human beings continue to the present day to be the victims of various forms of racism, racial discrimination, xenophobia and related intolerance; (Adopted by 2nd PrepCom)

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* The numbering of these adopted paragraphs refers to document A/CONF.189/PC.3/7.

PP7 Recalling that the year 2001 is the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance, aimed at drawing the world's attention to the objectives of the World Conference and giving new momentum to the political commitment to the elimination of all forms of racism, racial discrimination, xenophobia and related intolerance; (Adopted by 2nd PrepCom)

PP11 Recognizing that the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, in conjunction with the International Decade of the World's Indigenous People, presents a unique opportunity to consider the invaluable contributions of indigenous peoples to political, economic, social, cultural and spiritual development throughout the world to our societies, as well as the challenges faced by them, including racism and racial discrimination; (Adopted by 2nd PrepCom)

PP13 Reaffirming our commitment to the purposes and principles contained in the Charter of the United Nations and the Universal Declaration of Human Rights; (Adopted by 2nd PrepCom)

PP14 Affirming that racism, racial discrimination, xenophobia and related intolerance constitute a negation of the purposes and principles of the Charter of the United Nations; (Adopted by 2nd PrepCom)

PP15 Reaffirming the principles of equality and non-discrimination in the Universal Declaration of Human Rights and encouraging respect for human rights and fundamental freedoms for all without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status; (Adopted by 2nd PrepCom)

PP18 Having taken note of the reports of the regional conferences organized at Strasbourg, Santiago, Dakar and Tehran and other inputs from States, as well as the reports of expert seminars, non-governmental organization regional meetings and other meetings organized in preparation for the World Conference; (Adopted by 2nd PrepCom)

PP20 Reaffirming that cultural diversity is a cherished asset for the advancement and welfare of humanity at large and should be valued, enjoyed, genuinely accepted and embraced as a permanent feature which enriches our societies; (Adopted by 2nd PrepCom)

PP22 Having listened to the peoples of the world and recognizing their aspirations to justice, to equality of opportunity for all and everyone, to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life; (Adopted by 2nd PrepCom)

PP27 Acknowledging that xenophobia, in its different manifestations, is one of the main contemporary sources and forms of discrimination and conflict, the combating of which requires urgent attention and prompt action by States, as well as by the international community; (Adopted by 2nd PrepCom)

PP32 Noting with concern the continued and violent occurrence of racism, racial discrimination, xenophobia and related intolerance, and that theories of superiority of certain races and cultures over others, promoted and practised during the colonial era, continue to be propounded in one form or another even today; (Adopted by 2nd PrepCom)

PP35 Recognizing that failure to combat and denounce racism, racial discrimination, xenophobia and related intolerance by all, especially by public authorities and politicians at all levels, is a factor encouraging their perpetuation; (Adopted by 2nd PrepCom)

PP31 Fully aware that, despite efforts undertaken by the international community, Governments and local authorities, the scourge of racism, racial discrimination, [*] xenophobia and related intolerance persist and continue to result in violations of human rights, suffering, disadvantage and violence, which must be combated by all available and appropriate means and as a matter of the highest priority, preferably in cooperation with affected communities; (Adopted by 2nd PrepCom, list pending)

PP36 Reaffirming that States have the duty to protect and promote the human rights and fundamental freedoms of all, including [indigenous peoples, people of African descent, people of Asian descent, migrants - documented and undocumented, refugees and asylum-seekers, internally displaced persons and persons belonging to other vulnerable groups,**] and that they should apply a gender perspective, recognizing the multiple forms of discrimination which women can face, and that the enjoyment of their civil, political, economic, social and cultural rights is essential for the development of societies throughout the world; (Adopted by 2nd PrepCom)

PP37 Recognizing both the challenges and opportunities presented by an increasingly globalized world in relation to the struggle to eradicate racism, racial discrimination, xenophobia and related intolerance; (Adopted by 2nd PrepCom)

PP41 Dedicating ourselves to combating the scourge of racism, racial discrimination, xenophobia and related intolerance fully and effectively as a matter of priority, while drawing lessons from manifestations of racism and past experiences in all parts of the world with a view to avoiding their recurrence; (Adopted by 2nd PrepCom)

PP42 Join together in a spirit of renewed political will and commitment to universal equality, justice and dignity, salute the memory of all victims of racism, racial discrimination, xenophobia and related intolerance all over the world, and solemnly adopt the Durban Declaration and Programme of Action; (Adopted by 2nd PrepCom)

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* The original proposal reads as follows: [religious intolerance, anti-Arabism, anti-Semitism, Islamophobia, Negrophobia,]. A list is being discussed.

** A list is being discussed.

GENERAL ISSUES

1. We recognize and affirm that, at the outset of the third millennium, a global fight against racism, racial discrimination, xenophobia and related intolerance and all their abhorrent and evolving forms and manifestations is a matter of priority for the international community, and that this Conference offers a unique and historic opportunity for assessing and identifying all dimensions of those devastating evils of humanity with a view to their total elimination through, inter alia, the initiation of innovative and holistic approaches and the strengthening and enhancement of practical and effective measures at the national, regional and international levels; (Adopted by 3rd PrepCom)

2. We express our solidarity with the peoples of Africa in their continuing struggle against racism, racial discrimination, xenophobia and related intolerance and recognize the sacrifices made by them as well as their efforts in raising international public awareness of these inhuman tragedies; (Adopted by 2nd PrepCom)

3. We also affirm the great importance we attach to the values of solidarity, respect, tolerance and multiculturalism, which constitute the moral ground and inspiration for our worldwide struggle against racism, racial discrimination, xenophobia and related intolerance, inhuman tragedies which have affected people throughout the world, especially in Africa, for too long; (Adopted by 2nd PrepCom)

4. We further affirm that all peoples and individuals constitute a single human family, one rich in diversity. They have contributed to the progress of civilizations and cultures that form the common heritage of humanity. Preservation and promotion of tolerance, pluralism and respect for diversity can produce more inclusive societies; (Adopted by 3rd PrepCom)

5. Religion, spirituality and belief play a central role in the lives of millions of women and men, in the way they live and in the way they treat other persons. Religion, spirituality and belief may and can contribute to the promotion of the inherent dignity and worth of the human person and to the eradication of racism, racial discrimination, xenophobia and related intolerance; (Adopted by 3rd PrepCom)

(Merger of paragraphs 7, 8 and 9) We note that the process of globalization constitutes a powerful and dynamic force which should be harnessed/utilized for the benefit, development and prosperity of all countries, without exclusion. We recognize that developing countries face special difficulties in responding to this central challenge. While globalization offers great opportunities, at present its benefits are very unevenly shared, while its costs are unevenly distributed. We thus express our determination to prevent and mitigate the negative effects of globalization. These effects could aggravate, inter alia, poverty, underdevelopment, marginalization, social exclusion, cultural homogenization and economic disparities which may occur along racial lines, within and between States, impacting adversely [especially on those [people] who continue to endure the legacy of slavery and colonialism]. We further express our determination to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade,

economic growth and sustainable development, global communications through the use of new technologies and increased intercultural exchange through the preservation and promotion of cultural diversity, which can contribute to the eradication of racism, racial discrimination, xenophobia and related intolerance. Only through broad and sustained efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable; (Adopted by 3rd PrepCom)

10. We recognize that migration has increased as a result of globalization, in particular from the South to the North, and stress that policies towards migration should not be based on racism, racial discrimination, xenophobia and related intolerance; (Adopted by 3rd PrepCom)

SOURCES, CAUSES, FORMS AND CONTEMPORARY MANIFESTATIONS OF RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

(former 131 first part, moved to after new para. 18 bis) We note the importance of paying special attention to new manifestations of racism, racial discrimination, xenophobia and related intolerance to which youth and other vulnerable groups might be exposed; (Adopted by 3rd PrepCom)

(Merger of paragraphs 19-20) We emphasize that poverty, underdevelopment, marginalization, social exclusion and economic disparities [between and within nations, which in many countries owe their existence in part to colonial exploitation,] are closely associated with racism, racial discrimination, xenophobia and related intolerance and contribute to the persistence of racist attitudes and practices which in turn generate more poverty; (Adopted by 3rd PrepCom)

21. We recognize the negative economic, social and cultural consequences of racism, racial discrimination, xenophobia and related intolerance [, including historical factors, such as the slave trade, other forms of servitude and colonialism,] which have contributed significantly to the underdevelopment of developing countries and, in particular, of Africa, and resolve to free every man, woman and child from the abject and dehumanizing conditions of extreme poverty to which more than a billion of them are currently subjected, to make the right to development a reality for everyone, and to free the entire human race from want; (Adopted by 3rd PrepCom)

22. We recognize that racism, racial discrimination, xenophobia and related intolerance are among the root causes of armed conflict and very often one of its consequences, and recall that non-discrimination is a fundamental principle of International Humanitarian Law. We underscore the need for all parties to armed conflicts to abide scrupulously by this principle and for States and the international community to remain especially vigilant during periods of armed conflict and continue to combat all forms of racial discrimination; (Adopted by 3rd PrepCom)

23. We express our deep concern that socio-economic development is being hampered by widespread internal conflicts which are due, among other causes, to gross violations of human rights, including those arising from racism, racial discrimination, xenophobia and related intolerance, and from lack of democratic, inclusive and participatory governance; (Adopted by 3rd PrepCom)

24. We express our concern that in some States political and legal structures or institutions, some of which were inherited and persist today, do not correspond to the multi-ethnic, pluricultural and plurilingual characteristics of the population and, in many cases, constitute an important factor of discrimination in the exclusion of indigenous peoples; (Adopted by 3rd PrepCom)

46. (to be 24 bis) Fully recognize the rights of indigenous peoples consistent with the principles of sovereignty and territorial integrity of States; and therefore stress the need to adopt the appropriate constitutional, administrative, legislative and judicial measures, including those derived from applicable international instruments; (Adopted by 3rd PrepCom)

24 ter. The use of the term "indigenous peoples" in the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance Declaration and Programme of Action cannot be construed as having any implications as to rights under international law. Any reference to rights associated with the term "indigenous peoples" is in the context of ongoing multilateral negotiations on texts that specifically deal with such rights and is without prejudice to the outcome of those negotiations; (Adopted by 3rd PrepCom)

26. We affirm the need to put an end to impunity for violations of the human rights and fundamental freedoms of individuals and groups who are victimized by racism, racial discrimination, xenophobia and related intolerance; (Adopted by 3rd PrepCom)

31. We strongly condemn the fact that slavery and slavery-like practices still exist today in parts of the world and urge States to take immediate measures as a matter of priority to end such practices, which constitute flagrant violations of human rights; (Adopted by 3rd PrepCom)

32. We affirm the urgent need to prevent, combat and eliminate all forms of trafficking in persons, in particular of women and children, and recognize that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance; (Adopted by 3rd PrepCom)

VICTIMS OF RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

37. We recognize the value and diversity of the cultural heritage of Africans and people of African descent and affirm the importance and necessity of ensuring their full integration into social, economic and political life with a view to facilitating their full participation at all levels in the decision-making process; (Adopted by 3rd PrepCom)

39. We recognize that people of African descent have for centuries been victims of racism, racial discrimination and enslavement and of the denial by history of many of their rights, and assert that they should be treated with fairness and respect for their dignity and should not suffer discrimination of any kind. Recognition should therefore be given to their rights to culture and their own identity; to participate freely and on equal conditions in political, social, economic and cultural life; to development in the context of their own aspirations and customs; to keep,

maintain and foster their own forms of organization, their mode of life, culture, traditions and religious expressions; to maintain and use their own languages; to the protection of their traditional knowledge and their cultural and artistic heritage; to the use, enjoyment and conservation of the natural renewable resources of their habitat and to active participation in the design, implementation and development of educational systems and programmes, including those of a specific and characteristic nature; and, where applicable, to their ancestrally inhabited land; (Adopted by 3rd PrepCom)

41. We recognize that in many parts of the world, Africans and people of African descent face barriers as a result of social biases and discrimination prevailing in public and private institutions and express our commitment to work towards the eradication of all forms of racism, racial discrimination, xenophobia and related intolerance faced by Africans and people of African descent; (Adopted by 3rd PrepCom)

41 bis. (former 66) We recognize that in many parts of the world, Asians and people of Asian descent face barriers as a result of social biases and discrimination prevailing in public and private institutions and express our commitment to work towards the eradication of all forms of racism, racial discrimination, xenophobia and related intolerance faced by Asians and people of Asian descent; (Adopted by 3rd PrepCom)

42. We recognize that the indigenous peoples have been victims of discrimination for centuries and affirm that they are free and equal in dignity and rights and should not suffer any discrimination, particularly on the basis of their indigenous origin and identity, and we stress the continuing need for action to overcome the persistent racism, racial discrimination, xenophobia and related intolerance that affect them; (Adopted by 3rd PrepCom)

43. We recognize the value and diversity of the cultures and the heritage of indigenous peoples, whose singular contribution to the development and cultural pluralism of society and full participation in all aspects of society, in particular on issues that are of concern to them, are fundamental for political and social stability, and for the development of the States in which they live; (Adopted by 3rd PrepCom)

44. We reiterate our conviction that the full realization by indigenous peoples of their human rights and fundamental freedoms is indispensable for eliminating racism, racial discrimination, xenophobia and related intolerance. We firmly reiterate our determination to promote their full and equal enjoyment of civil, political, economic, social and cultural rights, as well as the benefits of sustainable development, while fully respecting their distinctive characteristics and their own initiatives; (Adopted by 3rd PrepCom)

44 bis. We emphasize that, in order for indigenous peoples freely to express their own identity and exercise their rights, they should be free from all forms of discrimination, which necessarily entails respect for their human rights and fundamental freedoms. Efforts are now being made to secure universal recognition for those rights in the negotiations on the draft declaration on the rights of indigenous peoples, including the following: to call themselves by their own names; to

participate freely and on equal footing in a country's political, economic, social and cultural development; to maintain their own forms of organization, lifestyles, cultures and traditions; to maintain and use their own languages; to maintain their own economic structures in the areas where they live; to take part in the development of their educational systems and programmes; to manage their lands and natural resources, including hunting and fishing rights; and to have access to justice on a basis of equality; (Adopted by 3rd PrepCom)

45. We also recognize the special relationship that indigenous peoples have with the land as the basis for their spiritual, physical and cultural existence and encourage States, wherever possible, to ensure that indigenous peoples are able to retain ownership of their lands and of those natural resources to which they are entitled under domestic law; (Adopted by 3rd PrepCom)

46 bis. We welcome the decision to create the Permanent Forum on Indigenous Issues within the United Nations system, giving concrete expression to major objectives of the International Decade of the World's Indigenous People and the Vienna Programme of Action; (Adopted by 3rd PrepCom)

47. We welcome the appointment by the United Nations of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and express our commitment to cooperate with the Special Rapporteur; (Adopted by 3rd PrepCom)

48. We recognize the positive economic, social and cultural contributions made by migrants to both countries of origin and destination; (Adopted by 3rd PrepCom)

49. We reaffirm the sovereign right of each State to formulate and apply its own legal framework and policies for migration, and further affirm that these policies should be consistent with applicable human rights instruments, norms and standards, and designed to ensure that they are free of racism, racial discrimination, xenophobia and related intolerance; (Adopted by 3rd PrepCom)

50. We note with concern and strongly condemn the manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against migrants and the stereotypes often applied to them, and reaffirm the responsibility of States to protect the human rights of migrants under their jurisdiction and the responsibility of Governments to safeguard and protect migrants against illegal or violent acts, in particular acts of racial discrimination and crimes perpetrated with racist or xenophobic motivation by individuals or groups, and stress the need for their fair, just and equitable treatment in the society and in the workplace; (Adopted by 3rd PrepCom)

51. We highlight the importance of creating conditions conducive to greater harmony, tolerance and respect between migrants and the rest of society in the countries in which they find themselves, in order to eliminate manifestations of racism and xenophobia against migrants. We underline that family reunification has a positive effect on integration and emphasize the need for States to facilitate family reunion; (Adopted by 3rd PrepCom)

52. We are mindful of the situation of vulnerability in which migrants frequently find themselves, owing, inter alia, to their departure from their countries of origin and to the difficulties they encounter because of differences in language, customs and culture, as well as economic and social difficulties and obstacles to the return of migrants who are undocumented or in an irregular situation; (Adopted by 3rd PrepCom)

59. We recognize the presence in many countries of a Mestizo population of mixed ethnic and racial origins and its valuable contribution to the promotion of tolerance and respect in these societies, and we condemn discrimination against them, especially because such discrimination may be denied owing to its subtle nature; (Adopted by 3rd PrepCom)

67. We recognize with deep concern the ongoing manifestations of racism, racial discrimination, xenophobia and related intolerance, including violence, against Roma/Gypsies/Sinti/Travellers, and recognize the need to develop effective policies and implementation mechanisms for the achievement of their full equality; (Adopted by 3rd PrepCom)

(Merged paragraphs 68-69) We are convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls, which can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination, and the limitation or denial of their human rights. We recognize the need to integrate a gender perspective into relevant policies, strategies and programmes of action against racism, racial discrimination, xenophobia and related intolerance in order to address multiple forms of discrimination; (Adopted by 3rd PrepCom)

MEASURES OF PREVENTION, EDUCATION AND PROTECTION AIMED AT THE ERADICATION OF RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE AT THE NATIONAL, REGIONAL AND INTERNATIONAL LEVELS

78. We recognize that inequitable political, economic, cultural and social conditions can breed and foster racism, racial discrimination, xenophobia and related intolerance, which in turn exacerbate the inequity. We believe that genuine equality of opportunity for all in all spheres, including that for development, is fundamental for the eradication of racism, racial discrimination, xenophobia and related intolerance; (Adopted by 3rd PrepCom)

80. (first part) We affirm that universal adherence to and full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination are of paramount importance for promoting equality and non-discrimination in the world; (Adopted by 3rd PrepCom)

80 bis. We reaffirm the solemn commitment of all States to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms [- civil, cultural, economic, political and social - including the right to development,] as a fundamental factor in the prevention and elimination of racism, racial discrimination, xenophobia and related intolerance; (Adopted by 3rd PrepCom)

82. We firmly believe that education, development and the faithful implementation of our international human rights norms and obligations, including enactment of laws and political, social and economic policies, are crucial to combat racism, racial discrimination, xenophobia and related intolerance; (Adopted by 3rd PrepCom)

83. We recognize that democracy, and transparent, responsible, accountable and participatory governance responsive to the needs and aspirations of the people, as well as respect for human rights, fundamental freedoms and the rule of law, are essential for the effective prevention and elimination of racism, racial discrimination, xenophobia and related intolerance. We reaffirm that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such acts; (Adopted by 3rd PrepCom)

87. All human beings are born free, equal in dignity and rights, and have the potential to contribute constructively to the development and well-being of their societies. Any doctrine of racial superiority is scientifically false, morally condemnable, socially unjust and dangerous and must be rejected along with theories which attempt to determine the existence of separate human races; (Adopted by 3rd PrepCom)

90. We condemn political platforms and organizations based on racism, xenophobia or doctrines of racial superiority and related discrimination, as well as legislation and practices based on racism, racial discrimination, xenophobia and related intolerance, as incompatible with democracy and transparent and accountable governance. We reaffirm that racism, racial discrimination, xenophobia and related intolerance condoned by governmental policies violate human rights and may endanger friendly relations among peoples, cooperation among nations and international peace and security; (Adopted by 3rd PrepCom)

94. We recognize that the media should represent the diversity of a multicultural society and play a role in fighting racism, racial discrimination, xenophobia and related intolerance. In this regard we draw attention to the power of advertising; (Adopted by 3rd PrepCom)

95. We note with regret that certain media, by promoting false images and stereotypes of vulnerable groups and individuals, particularly of migrants and refugees, have contributed to the spread of xenophobic and racist sentiments among the public and [may] have encouraged violence by racist individuals and groups; (Adopted by 3rd PrepCom)

100. We reaffirm that the stigmatization of people of different origins by acts or omissions of public authorities, institutions, the media, political parties, or national or local organizations is not only an act of racial discrimination but can also incite the recurrence of such acts, thereby resulting in the creation of a vicious circle which reinforces racist attitudes and prejudices; such acts [must/should be publicly condemned and eradicated]; (Adopted by 3rd PrepCom)

102. We recognize that quality education, elimination of illiteracy and access to free primary education for all can contribute to more inclusive societies, equity, stable and harmonious relations and friendship among nations, peoples, groups and individuals, and a culture of peace, fostering mutual understanding, solidarity, social justice and respect for all human rights for all; (Adopted by 3rd PrepCom)

104. We underline the links between the right to education and the struggle against racism, racial discrimination, xenophobia and related intolerance and the essential/crucial role of education, including human rights education and education which is sensitive to and respects cultural diversity, especially amongst children and young people, in the prevention and eradication of all forms of intolerance and discrimination; (Adopted by 3rd PrepCom)

PROVISION OF EFFECTIVE REMEDIES, RECOURSE, REDRESS, [COMPENSATORY] AND OTHER MEASURES AT THE NATIONAL, REGIONAL AND INTERNATIONAL LEVELS

111. We also strongly reaffirm that as a pressing requirement of justice victims of human rights violations resulting from racism, racial discrimination, xenophobia and related intolerance, especially in the light of their vulnerable situation, socially, culturally and economically, should be assured of having access to justice, including legal assistance where appropriate, effective and appropriate protection and remedies, including the right to seek just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination as enshrined in numerous international and regional human rights instruments, in particular the Universal Declaration of Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination; (Adopted by 3rd PrepCom)

STRATEGIES TO ACHIEVE FULL AND EFFECTIVE EQUALITY, INCLUDING INTERNATIONAL COOPERATION AND ENHANCEMENT OF THE UNITED NATIONS AND OTHER INTERNATIONAL MECHANISMS IN COMBATING RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

119. We recall the importance of enhancing international cooperation to promote (a) the fight against racism, racial discrimination, xenophobia and related intolerance; [(b) the effective implementation of international treaties and instruments that forbid these practices]; (c) the goals of the Charter of the United Nations in this regard; (d) the achievement of the goals established by the conferences convened by the United Nations in the 1990s in Rio de Janeiro, Vienna, Cairo, Copenhagen, Beijing, Istanbul and Rome, making sure that such goals will encompass with equity all the victims of racism, racial discrimination, xenophobia and related intolerance; (Adopted by 3rd PrepCom)

119 bis. We recognize the importance of cooperation among States, relevant international and regional organizations, the international financial institutions, non-governmental organizations and individuals in the worldwide fight against racism, racial discrimination, xenophobia and

related intolerance, and that success in this fight requires specifically taking into consideration the grievances, opinions and demands of the victims of such discrimination; (Adopted by 3rd PrepCom)

121. (former124) We recognize the importance of independent national human rights institutions conforming to the Principles relating to the status of national institutions for the promotion and protection of human rights, annexed to General Assembly resolution 48/134 of 20 December 1993, and other relevant specialized institutions created by law for the promotion and protection of human rights, including ombudsman institutions, in the struggle against racism, racial discrimination, xenophobia and related intolerance, as well as for the promotion of democratic values and the rule of law. We encourage States, as appropriate, to establish such institutions and call upon the authorities and society in general in those countries where they are performing their tasks of promotion, protection and prevention to cooperate to the maximum extent possible with these institutions, while respecting their independence; (Adopted by 3rd PrepCom)

122. We recognize the important role relevant [regional] bodies, including [regional] associations of national human rights institutions, can play in combating racism, racial discrimination, xenophobia and related intolerance, and the key role they can play in monitoring and raising awareness about intolerance and discrimination at the regional level, and reaffirm support for such bodies where they exist and encourage their establishment; (Adopted by 3rd PrepCom)

123. We recognize the paramount role played by Parliaments in the fight against racism, racial discrimination, xenophobia and related intolerance by adopting appropriate legislation, overseeing its implementation and allocating the requisite financial resources; (Adopted by 3rd PrepCom)

125. We stress the importance of involving social partners and other non-governmental organizations in the design and implementation of training and development programmes; (Adopted by 3rd PrepCom)

126. We recognize the fundamental role of civil society in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular in assisting Governments to develop regulations and strategies, as well as to take measures and action against such forms of discrimination and for follow-up implementation; (Adopted by 3rd PrepCom)

127. We also recognize that promoting greater respect and trust among different groups within society must be a shared but differentiated responsibility of government institutions, political leaders, grass-roots organizations and citizens. We underline that civil society plays an important role in promoting the public interest, especially in combating racism, racial discrimination, xenophobia and related intolerance; (Adopted by 3rd PrepCom)

131. We underline the usefulness of involving youth in the development of forward-looking national, regional and international strategies and in policies to fight racism, racial discrimination, xenophobia and related intolerance. (Adopted by 3rd PrepCom)

Annex VI

REPORT OF THE OPEN-ENDED WORKING GROUP ON THE DRAFT PROGRAMME OF ACTION*

I. SOURCES, CAUSES, FORMS AND CONTEMPORARY MANIFESTATIONS OF RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance:

1. Urges States in their national efforts, and in cooperation with other States, regional and international organizations and financial institutions, to promote the use of public and private investment in consultation with the affected communities in order to eradicate poverty, particularly in those areas in which [list or generic description to replace: peoples and communities who are victims of racism, racial discrimination and exclusion/indigenous peoples, people of African descent, migrants and other ethnic, racial, cultural, religious and linguistic groups or minorities] predominantly live; (Adopted by 2nd PrepCom)

II. VICTIMS OF RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

Victims: General

9. Urges States to work nationally and in cooperation with other States and relevant regional and international organizations and programmes to strengthen national mechanisms to promote and protect the human rights of [persons affected by, vulnerable to, or] victims of racism, racial discrimination, xenophobia and related intolerance who are infected, or presumably infected, with pandemic diseases such as HIV/AIDS and to take concrete measures, including preventive action, appropriate access to medication and treatment, programmes of education, training and mass media dissemination to eliminate violence, stigmatization, discrimination, unemployment and other negative consequences arising from these pandemics; (Adopted by 2nd PrepCom)

Africans and people of African descent

10. Urges States to facilitate the participation of people of African descent in all political, economic, social and cultural aspects of society and in the advancement and economic development of their countries, and to promote a greater knowledge of and respect for their heritage and culture; (Adopted by 2nd PrepCom)

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* The numbering of these adopted paragraphs refers to documents A/CONF.189/PC.3/8 and Corr. 1.

11. Requests States, supported by international cooperation, as appropriate, to consider positively concentrating additional investments in health-care systems, education, public health, electricity, drinking water and environmental control, as well as other affirmative or positive action initiatives in communities of primarily African descent; (Adopted by 3rd PrepCom)

13. Requests the Commission on Human Rights to consider the establishment of a working group or other mechanism in the United Nations to study the problems of racial discrimination faced by people of African descent in the African Diaspora, and make proposals for the elimination of racial discrimination against people of African descent; (Adopted by 2nd PrepCom)

14. Urges financial and development institutions and the operational programmes and specialized agencies of the United Nations, in accordance with their regular budgets and the procedures of their governing bodies:

(a) To assign particular priority, and allocate sufficient funding, within their areas of competence and budgets, to improving the situation of Africans and people of African descent, while devoting special attention to the needs of these populations in developing countries, inter alia through the preparation of specific programmes of action;

(b) To carry out special projects, through appropriate channels and in collaboration with Africans and people of African descent, to support their initiatives at the community level and to facilitate the exchange of information and technical know-how between these populations and experts in these areas;

(c) To develop programmes intended for people of African descent allocating additional investments in health systems, education, housing, electricity, drinking water and environmental control measures and promoting equal opportunities in employment, as well as other affirmative or positive action initiatives; (Adopted by 3rd PrepCom)

15. Requests States to increase public actions and policies in favour of women and young males of African descent, given that racism affects them more deeply, placing them in a more marginalized and disadvantaged situation; (Adopted by 3rd PrepCom)

16. Urges States to ensure access to education and promote access to new technologies that would offer Africans and people of African descent, in particular women and children, adequate resources for education and technological development and long-distance learning in local communities, and further urges States to promote the full and accurate inclusion of the history and contribution of Africans and people of African descent in the education curriculum; (Adopted by 3rd PrepCom)

17. Encourages States to identify factors which prevent equal access to, and the equitable presence of, people of African descent at all levels of the public sector, including the public service, and in particular the administration of justice, and to take appropriate measures to remove the obstacles identified and also to encourage the private sector to promote equal access to, and the equitable presence of, people of African descent at all levels within their organizations; (Adopted by 3rd PrepCom)

19. Urges States, in accordance with international human rights standards and their respective domestic legal framework, to resolve problems of ownership of ancestral lands inhabited for generations by people of African descent, and to promote the productive utilization of land and the comprehensive development of these communities, respecting their culture and their specific forms of decision-making process; (Adopted by 3rd PrepCom)

Indigenous peoples

20. Urges States:

(b) To adopt or continue to apply, in concert with them, constitutional, administrative, legislative, judicial and all necessary measures to promote, protect and ensure the enjoyment by [indigenous peoples] of their rights, as well as to guarantee them the exercise of their human rights and fundamental freedoms on the basis of equality, non-discrimination and full and free participation in all areas of society, in particular in matters affecting or concerning their interests; (Adopted by 3rd PrepCom)

(c) To promote better knowledge of and respect for indigenous cultures and heritage; and welcomes measures already taken by States in these respects; (Adopted by 3rd PrepCom)

21. Urges States to work with indigenous peoples to stimulate and increase their access to economic activities and their level of employment, where appropriate, through the establishment, acquisition or expansion by indigenous peoples of enterprises, and implementation of measures such as training, provision of technical assistance and credit facilities; (Adopted by 3rd PrepCom)

22. Urges States to work with indigenous peoples so as to establish and implement programmes that provide access to training and services that could benefit the development of their communities; (Adopted by 3rd PrepCom)

23. Requests States to adopt public policies and give impetus to programmes on behalf of and in concert with indigenous women and girls, with a view to promoting their civil, political, economic, social and cultural rights; to putting an end to their situation of disadvantage for reasons of gender and ethnicity; to dealing with urgent problems affecting them in education, physical and mental health, and economic life, and in the matter of violence against women, including domestic violence; and to eliminating the situation of aggravated discrimination suffered by indigenous women and girls on multiple grounds of racism and gender discrimination; (Adopted by 3rd PrepCom)

25. Recommends that States examine, in conformity with relevant international human rights instruments, norms and standards, their Constitutions, laws, legal systems and policies to identify and eradicate racism, racial discrimination, xenophobia and related intolerance towards indigenous peoples and individuals whether implicit, explicit or inherent; (Adopted by 3rd PrepCom)

28. Calls upon concerned States to honour and respect their treaties and agreements with indigenous peoples and to accord them due recognition and observance; (Adopted by 3rd PrepCom)

29. Calls upon States to give full and appropriate consideration to the recommendations produced by indigenous peoples in their own forums on the World Conference; (Adopted by 3rd PrepCom)

29 bis. Requests States:

(a) To develop and, where they already exist, support institutional mechanisms to promote the accomplishment of the objectives and measures relating to indigenous peoples agreed in this Plan of Action;

(b) To promote in concert with indigenous organizations, local authorities and non-governmental organizations, actions aimed at overcoming racism, racial discrimination, xenophobia and related intolerance against indigenous peoples and make regular assessments of the progress achieved in this regard;

(c) To promote understanding among broader society of the importance of special measures to overcome disadvantages faced by indigenous peoples;

(d) To consult indigenous representatives in the process of decision-making concerning policies and measures that directly affect them; (Adopted by 3rd PrepCom)

29 ter. Calls upon States to recognize the particular challenges facing indigenous peoples and individuals living in urban environments and urges States to implement effective strategies to combat the racism, racial discrimination, xenophobia and related intolerance they face, paying particular attention to opportunities for their continued practice of traditional, cultural, linguistic and spiritual ways of life; (Adopted by 3rd PrepCom)

Migrants

30. Requests all States to combat manifestations of a generalized rejection of migrants and actively to discourage all racist demonstrations and acts that generate xenophobic behaviour and negative sentiments towards, or rejection of, migrants; (Adopted by 3rd PrepCom)

31. Invites international and national non-governmental organizations to include monitoring and protection of the human rights of migrants within their programmes and activities and to sensitize Governments and increase public awareness in all States about the need to prevent racist acts and manifestations of discrimination, xenophobia and related intolerance against migrants; (Adopted by 3rd PrepCom)

32. Requests States to promote and protect fully and effectively the human rights and fundamental freedoms of all migrants, in conformity with the Universal Declaration of Human Rights and their obligations under international human rights instruments, regardless of immigration status; (Adopted by 3rd PrepCom)

33. Encourages States to promote education on the human rights of migrants and to engage in information campaigns to ensure that the public receives accurate information regarding migrants and migration issues, including the positive contribution of migrants to the host society and the vulnerability of migrants, particularly in an irregular situation; (Adopted by 3rd PrepCom)

36. Urges States to take concrete measures that would eliminate racism, racial discrimination, xenophobia and related intolerance in the workplace, including against migrants, [including migrant workers,] and ensure the full equality of all before the law, including labour law, and further urges States to eliminate barriers, where appropriate, to: participating in vocational training, collective bargaining, employment, contracts, and trade union activity; accessing judicial and administrative tribunals dealing with grievances; seeking employment in different parts of their country of residence; and, working in safe and healthy conditions; (Adopted by 3rd PrepCom)

37. Urges States:

(a) To develop and implement policies and action plans, and to reinforce and implement preventive measures, to foster greater harmony and tolerance between migrants and host societies with the aim of eliminating manifestations of racism, racial discrimination, xenophobia and related intolerance, including acts of violence, perpetrated in many societies by individuals or groups and directed towards [migrant workers and their families];

(b) To review and revise, where necessary, their immigration laws, policies and practices so as to be free of racial discrimination and compatible with their obligations under international human rights instruments;

(c) To implement specific measures involving the host community and migrants to encourage respect for cultural diversity, to promote the fair treatment of migrants and to develop programmes, where appropriate, that facilitate their integration into social, cultural, political and economic life;

(d) To ensure that migrants, regardless of their immigration status, detained by public authorities, are treated with humanity and in a fair manner, and receive effective legal protection and, where appropriate, the assistance of a competent interpreter in accordance with the relevant norms of international law and human rights standards, particularly during interrogation;

(e) To ensure that police and immigration authorities treat migrants in a dignified and non-discriminatory manner, in accordance with international standards, through, inter alia, specialized training courses for administrators, police officers, immigration officials and other interested groups;

(f) To consider the question of, with a view to promoting, the recognition of the educational, professional and technical credentials of migrants, with a view to maximizing their contribution in their new States of residence;

(g) To consider adopting and implementing immigration policies and programmes that would enable immigrants, in particular women and children who are victims of spousal or domestic violence, to free themselves from abusive relationships; (Adopted by 3rd PrepCom)

38. Urges States, in view of the increased proportion of women who are migrants, to give special focus to gender issues, including gender discrimination, particularly when the multiple barriers faced by migrant women intersect; to undertake detailed research, not only in respect of human rights violations perpetrated against women migrants, but also on the contribution they make to the economies of their countries of origin and destination/host countries, and to include the findings in reports to treaty bodies; (Adopted by 3rd PrepCom)

54. We urge States to recognize the same economic opportunities and responsibilities to documented long-term migrants and other members of society;[a] (Adopted by 3rd PrepCom)

Refugees

39. Urges States to comply with their obligations under international human rights, refugee and humanitarian law relating to refugees, asylum-seekers and displaced persons, and urges the international community to provide them with protection and assistance in an equitable manner and with due regard to their needs in different parts of the world, in keeping with principles of international solidarity, burden sharing and international cooperation to share responsibilities; (Adopted by 3rd PrepCom)

41. Urges States to take effective steps to protect refugee and internally displaced women and girls from violence and to investigate any such violations and to bring those responsible to justice, in collaboration, where appropriate, with the relevant competent organizations; (Adopted by 3rd PrepCom)

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[a] Adopted paragraph transferred from the Working Group on the Draft Declaration to the Working Group on the Draft Programme of Action.

Other victims

44. Urges States to take all possible measures to ensure that all persons, without any discrimination, are registered and have access to the necessary documentation reflecting their legal identity to enable them to benefit from available legal procedures, remedies and development opportunities, as well as to reduce the incidence of trafficking; (Adopted by 3rd PrepCom)

New 45. Recognizes that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance. States shall ensure that all measures taken against trafficking in persons, in particular those that affect the victims of such trafficking, are consistent with internationally recognized principles of non-discrimination, including the prohibition of racial discrimination and the availability of appropriate legal redress; (Adopted by 3rd PrepCom)

47. Calls upon States to ensure that Roma/Gypsy/Sinti/Traveller children and youth, especially girls, are given equal access to education and that education curricula at all levels, including complementary programmes on intercultural education, which might, inter alia, include opportunities to learn the official languages in the pre-school period, recruit Roma teachers and classroom assistants and learn their mother tongue, are sensitive and responsive to their needs; (Adopted by 3rd PrepCom)

This Adopted paragraph replaces paragraphs 48 and 49:

Encourages States to adopt appropriate and concrete policies and measures and to develop implementation mechanisms, where these do not already exist, and exchange experiences, in cooperation with representatives of the Roma/Gypsies/Sinti/Travellers in order to eradicate discrimination against them, so as to enable them to achieve equality and so as to ensure their full enjoyment of all human rights, as recommended in the case of the Roma by the Committee on the Elimination of Racial Discrimination in its General Recommendation XXVII, so that their needs are met; (Adopted by 3rd PrepCom)

50. Recommends that the intergovernmental organizations address, in their projects of cooperation with and assistance to various States, as appropriate, the situation of the Roma/Gypsies/Sinti/Travellers and promote their economic, social and cultural advancement; (Adopted by 3rd PrepCom)

51. Calls upon States and encourages non-governmental organizations to raise awareness about racism, racial discrimination, xenophobia and related intolerance experienced by the Roma/Gypsies/Sinti/Travellers, and to promote knowledge and respect for their culture and history; (Adopted by 3rd PrepCom)

52. Encourages the media to promote equal access to and participation by the Roma/Gypsies/Sinti/Travellers in the media, as well as to protect them from racist, stereotypical and discriminatory media reporting, and calls upon States to facilitate the media's efforts in this regard; (Adopted by 3rd PrepCom)

53. Urges States to ensure that persons belonging to [racial] national or ethnic, religious and linguistic minorities can exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, and also urges States and the international community to promote and protect the rights of such persons [within the framework of the purposes and principles of the Charter of the United Nations];/ [Persons belonging to such minorities shall exercise their rights within the framework of the principles of the United Nations, including sovereign equality, territorial integrity and political independence of States in which they live;] (Adopted by 3rd PrepCom)

54. States should guarantee the rights of persons belonging to national or ethnic, religious and linguistic minorities to enjoy, individually or in community with other members of their group, their own culture, to profess and practise their own religion, to use their own language, in private and in public, freely and without interference, and to participate effectively in the cultural, social, economic and political life of the country in which they live, in order to protect them from any form of racism, racial discrimination, xenophobia and related intolerance that they are or may be subjected to; (Adopted by 3rd PrepCom)

57. Urges States to incorporate a gender perspective in all programmes of action against racism, racial discrimination, xenophobia and related intolerance and to consider the burden of such discrimination which falls particularly on [generic description] indigenous women, African women, Asian women, women of African descent, women of Asian descent, women migrants and women from other disadvantaged groups, ensuring their access to the resources of production on an equal footing with men, as a means of promoting their participation in the economic and productive development of their communities; (Adopted by 2nd PrepCom)

59. Urges States to involve women, especially women victims of racism, racial discrimination, xenophobia and related intolerance, in decision-making at all levels when working towards the eradication of such discrimination, and to develop concrete measures to incorporate race/gender analysis in the implementation of all aspects of the Programme of Action and national plans of action, particularly in the fields of employment programmes and services and resource allocation; (Adopted by 2nd PrepCom)

61. Recognizes that poverty shapes economic and social status and establishes obstacles to the effective political participation of women and men in different ways and to different extents, and urges States to undertake gender analyses of all economic and social policies and programmes, especially poverty eradication measures, including those designed and implemented to benefit individuals or groups [who are, or may be, victims of/subject to] racism, racial discrimination, xenophobia and related intolerance; (Adopted by 3rd PrepCom)

62. Urges States and encourages all sectors of society to empower women and girls [who are or may be subject to/victims of] racism, racial discrimination, xenophobia and related intolerance, so that they can fully exercise their rights in all spheres of public and private life, and to ensure the full, equal and effective participation of women in decision-making at all levels, in particular in the design, implementation and evaluation of policies and measures which affect their lives; (Adopted by 3rd PrepCom)

65. Requests States, in collaboration where necessary with international organizations, having the best interests of the child as a primary consideration, to provide protection against racism, racial discrimination, xenophobia and related intolerance against children, especially those in circumstances of particular vulnerability, and to pay special attention to the situation of such children when designing relevant policies, strategies and programmes; (Adopted by 3rd PrepCom)

67. Urges States, international and regional organizations, and encourages non-governmental organizations and the private sector to address the situation of persons with disabilities who are also subject to racism, racial discrimination, xenophobia and related intolerance; also urges States to take necessary measures to ensure their full enjoyment of all human rights and to facilitate their full integration in all fields of life; (Adopted by 3rd PrepCom)[b]

III. MEASURES OF PREVENTION, EDUCATION AND PROTECTION AIMED AT THE ERADICATION OF RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE AT THE NATIONAL, REGIONAL AND INTERNATIONAL LEVELS

68. Urges States, both at the national and international levels, to adopt and implement effective measures and policies, in addition to existing anti-discrimination national legislation and relevant international instruments and mechanisms, which encourage all citizens and institutions to take a stand against racism, racial discrimination, xenophobia and related intolerance, and to recognize, respect and maximize the benefits of diversity within and among all nations in working together to build a harmonious and productive future by putting into practice and promoting values and principles such as justice, equality and non-discrimination, democracy, fairness and friendship, tolerance and respect within and between communities and nations, in particular through public information and education programmes to raise awareness and understanding of the benefits of cultural diversity, including programmes where the public authorities work in partnership with international and non-governmental organizations and other sectors of civil society; (Adopted by 3rd PrepCom)

69. Urges States to adopt or strengthen, as appropriate, national programmes for eradicating poverty and reducing social exclusion which take account of the needs and experiences of [individuals and groups affected by or vulnerable to/victims of] racism, racial discrimination, xenophobia and related intolerance, and also urges States to expand their efforts to foster bilateral, regional and international cooperation in implementing those programmes; (Adopted by 3rd PrepCom)

70. Urges States to work to ensure that their political and legal systems reflect the multicultural diversity within their societies and, where necessary, to improve democratic institutions so that they are more fully participatory and avoid the marginalization and exclusion of, and discrimination against, specific sectors of society; (Adopted by 3rd PrepCom)

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[b] The text will be re-examined after consultations on the issue of the "listing" are concluded.

72. Urges States to take all necessary measures to address specifically, through policies and programmes, racism and racially motivated violence against women and girls, and to increase cooperation, policy responses, effective implementation of national legislation and of their obligations under relevant international instruments, and other protective and preventive measures aimed at the elimination of all forms of racially motivated discrimination and violence against women and girls; (Adopted by 3rd PrepCom)

A. At the national level

1. Legislative, judicial, regulatory, administrative and other measures to prevent and protect against racism, racial discrimination, xenophobia and related intolerance

73. Urges States to establish and implement without delay national policies and action plans to combat racism, racial discrimination, xenophobia, [anti-Semitism, Islamophobia] and related intolerance, including their gender-based manifestations; (Adopted at 3rd PrepCom)

75. Recognizes that the success of this Programme of Action will require political will and adequate funding at the national, regional and international levels, and international cooperation, [including, in some circumstances, new and additional resources,] [particularly for developing countries;] [and urges that the follow-up mechanism for the World Conference monitor those elements;] (Adopted by 3rd PrepCom)

78. Urges States to design or reinforce, promote and implement effective legislative and administrative policies, as well as other preventive measures, against the serious situation experienced by certain groups of workers, including migrant workers, who are [vulnerable to or victims of] racism, racial discrimination, xenophobia and related intolerance; special attention should be given to protecting people engaged in domestic work and trafficked persons, [including victims of prostitution,] from discrimination and violence, as well as combating prejudice against them; (Adopted by 3rd PrepCom)

83. Urges States to take all necessary constitutional, legislative and administrative measures to foster equality among individuals and groups who are affected by, vulnerable to, or victims of racism, racial discrimination, xenophobia and related intolerance, and to review existing measures with a view to amending or repealing national legislation and administrative provisions that may give rise to such forms of discrimination; (Adopted by 2nd PrepCom)

88. Urges States, including their law enforcement agencies, to design and fully implement effective policies and programmes to prevent, detect and ensure accountability for misconduct by police officers and other law enforcement personnel which is motivated by racism, racial discrimination, xenophobia and related intolerance and to prosecute the perpetrators of such misconduct; (Adopted by 3rd PrepCom)

88 bis. Urges States to design, implement and enforce effective measures to eliminate the phenomenon popularly known as "racial profiling" and comprising the practice of police and other law enforcement officers relying, to any degree, on race, colour, descent, national or ethnic origin as the basis for subjecting persons to investigatory activities or for determining whether an

individual is engaged in criminal activity. [In cases where a law enforcement officer is seeking to investigate or apprehend a specific suspect whose race, colour, descent, national or ethnic origin is part of the description of the suspect, reliance on such descriptive characteristics shall not be considered to be "racial profiling".] (Adopted by 3rd PrepCom)

89. Urges States to take measures to prevent genetic research or its applications from being used to promote racism, racial discrimination, xenophobia and related intolerance, to protect the privacy of personal genetic information, and to prevent such information from being used for discriminatory or racist purposes; (Adopted by 3rd PrepCom)

Ratification of and effective implementation of relevant international and regional legal instruments on human rights and non-discrimination

91. Urges States that have not yet done so to consider ratifying or acceding to the international human rights instruments which combat racism, racial discrimination, xenophobia and related intolerance, and in particular to accede to the International Convention on the Elimination of All Forms of Racial Discrimination as a matter of urgency, with a view to its universal ratification by the year 2005, and to consider making the declaration envisaged under article 14, to comply with their reporting obligations, and to publish and act upon the concluding observations of the Committee on the Elimination of Racial Discrimination; also urges States to withdraw reservations contrary to the object and purpose of the International Convention on the Elimination of All Forms of Racial Discrimination and to consider withdrawing other reservations; (Adopted by 3rd PrepCom)

92. Urges States to give due consideration to the observations and recommendations of the Committee on the Elimination of Racial Discrimination; to that effect, States should consider setting up appropriate national monitoring and evaluation mechanisms to ensure that all appropriate steps are taken to follow up on these observations and recommendations; (Adopted by 3rd PrepCom)

94. Urges those States that have not yet done so to consider signing and ratifying or acceding to the following instruments:

(a) Convention on the Prevention and Punishment of the Crime of Genocide, 1948;

(b) ILO Migration for Employment Convention Revised, 1949 No. 97;

(c) Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949;

(d) Convention relating to the Status of Refugees of 1951, and its 1967 Protocol;

(e) ILO Discrimination Convention, Employment and Occupation 1958 No. 111;

(f) Convention against Discrimination in Education, Adopted on 14 December 1960 by the General Conference of the United Nations Educational, Scientific and Cultural Organization;

(g) Convention on the Elimination of All Forms of Discrimination against Women 1979, with a view to achieving universal ratification within five years, and its Optional Protocol of 1999;

(h) Convention on the Rights of the Child 1989, and its two Optional Protocols of 2000, and ILO Minimum Age Convention, 1973 No. 138 and Worst Forms of Child Labour Convention, 1999 No. 182;

(i) ILO Migrant Workers Supplementary Provisions Convention, 1975 No. 143;

(j) ILO Indigenous and Tribal Peoples Convention, 1989 No. 169 and the Convention on Biological Diversity, 1992;

(k) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990;

(l) Rome Statute of the International Criminal Court, 1998;

(m) United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the Convention, 2000;

It further urges States Parties to these instruments to fully implement them. (Adopted by 3rd PrepCom)

103. Urges States to undertake investigations to examine possible links between criminal prosecution, police violence and penal sanctions, [including the application of the death penalty] [in particular against vulnerable groups and individuals] on the one hand, and racism, racial discrimination, xenophobia and related intolerance, on the other, so as to have evidence for taking the necessary steps for the eradication of any such links and discriminatory practices; (Adopted by 2nd PrepCom)

Prosecution of perpetrators of racist acts

106. Urges States parties to adopt legislation implementing the obligations they have assumed to prosecute and punish persons who have committed or ordered to be committed grave breaches of the Geneva Conventions, of 12 August 1949, and Additional Protocol I thereto and of other serious violations of the laws and customs of war, in particular in relation to the principle of non-discrimination; (Adopted by 3rd PrepCom)

109. Urges States to carry out comprehensive, exhaustive, timely and impartial investigations of all unlawful acts of racism and racial discrimination, to prosecute criminal offences ex officio, as appropriate, or initiate or facilitate all appropriate actions arising from offences/of a racist or xenophobic nature, to ensure that criminal and civil investigations, and

prosecutions of offences of a racist or xenophobic nature are given high priority and are actively and consistently undertaken and to ensure the right to equal treatment before the tribunals and all other organs administering justice. In this regard, the World Conference underlines the importance of fostering awareness and providing training to the various agents in the criminal justice system to ensure fair and impartial application of the law. In this respect, it recommends that anti-discrimination monitoring services be established; (Adopted by 3rd PrepCom)

Establishment and reinforcement of independent specialized national institutions and mediation

110. Urges States, as appropriate, to establish, strengthen, review and reinforce the effectiveness of independent national human rights institutions, particularly on issues of racism, racial discrimination, xenophobia and related intolerance, in conformity with the Principles relating to the status of national institutions for the promotion and protection of human rights, annexed to General Assembly resolution 48/134 of 20 December 1993, and to provide them with adequate financial resources, competence and capacity for investigation, research, education and public awareness activities to combat these phenomena; (Adopted by 3rd PrepCom)

111. Also urges States:

(a) To foster cooperation between these institutions and other national institutions;

(b) To take steps to ensure that [individuals and groups that are or may be subject to racism, racial discrimination, xenophobia and related intolerance] can participate fully in these institutions;

(c) To support these institutions and similar bodies, inter alia through the publication and circulation of existing national laws and jurisprudence, and cooperation with institutions in other countries so that knowledge can be gained of the manifestations, functions and mechanisms of these practices and the strategies designed to prevent, combat and eradicate them; (Adopted by 3rd PrepCom)

123. The World Conference recognizes that combating racism, racial discrimination, xenophobia and related intolerance is a primary responsibility of States. It therefore encourages States to develop or elaborate national action plans to promote diversity, equality, equity, social justice, equality of opportunity and participation of all. Through, among other things, affirmative or positive actions and strategies, these plans should aim at creating conditions for all to effectively participate in decision-making and realize civil, cultural, economic, political and social rights in all spheres of life on the basis of non-discrimination. The World Conference encourages States in developing and elaborating such action plans, to establish, or reinforce, dialogue with non-governmental organizations to involve them more closely in designing, implementing and evaluating policies and programmes; (Adopted by 3rd PrepCom)

Employment

136. Urges States and encourages non-governmental organizations and the private sector:

(a) To support the creation of workplaces free of discrimination through a multifaceted strategy that includes civil rights enforcement, public education and communication within the workplace, and to promote and protect the rights of workers who are subject to racism, racial discrimination, xenophobia and related intolerance;

(b) To foster the creation, growth and expansion of businesses dedicated to improving economic and educational conditions in underserved and disadvantaged areas, by increasing access to capital through, inter alia, community development banks, recognizing that new businesses can have a positive, dynamic impact on communities in need, and to work with the private sector to create jobs, help retain existing jobs, and stimulate industrial and commercial growth in economically distressed areas; (Adopted by 3rd PrepCom)

Health, environment

142. Urges States, individually and through international cooperation, to enhance measures to fulfil the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, with a view to eliminating disparities in health status, as indicated in standard health indexes, which might result from racism, racial discrimination, xenophobia and related intolerance; (Adopted by 2nd PrepCom)

143. Urges States and encourages non-governmental organizations and the private sector:

(a) To provide effective mechanisms for monitoring and eliminating racism, racial discrimination, xenophobia and related intolerance in the health-care system, such as the development and enforcement of effective anti-discrimination laws;

(b) To take steps to ensure equal access to comprehensive, quality health care affordable for all, including primary health care for medically underserved people, facilitate training of a health workforce that is both diverse and motivated to work in underserved communities, and work to increase diversity in the health-care profession by recruiting, on the basis of merit and potential, women and men from all groups, representing the diversity of their societies, for health-care careers and retaining them in the health professions;

(c) To work with health-care professionals, community-based health providers, non-governmental organizations, scientific researchers and private industry as a means of improving the health status of marginalized communities, in particular victims of racism, racial discrimination, xenophobia and related intolerance;

(d) To work with health professionals, scientific researchers and international and regional health organizations to study the differential impacts of medical treatments and health strategies on various communities;

(e) To adopt and implement policies and programmes to improve HIV/AIDS prevention efforts in high-risk communities and work to expand the availability of HIV/AIDS care, treatment and other support services; (Adopted by 3rd PrepCom)

Equal participation in political, economic, social and cultural decision-making

147. Urges States and encourages the private sector and international financial and development institutions, such as the World Bank and regional development banks, to promote participation of [persons belonging to all groups, affected by or vulnerable to/victims of] racism, racial discrimination, xenophobia and related intolerance, in economic, cultural and social decision-making at all stages, particularly in the development and implementation of poverty alleviation strategies, development projects, and trade and market assistance programmes; (Adopted by 3rd PrepCom)

3. Education and awareness-raising measures

153. Urges States, where appropriate working with other relevant bodies, to commit financial resources to anti-racism education and to media campaigns promoting the values of acceptance, tolerance, diversity and respect for the cultures of all indigenous peoples living within their national borders. In particular, States should promote an accurate understanding of the histories and cultures of indigenous peoples; (Adopted by 3rd PrepCom)

154. Urges the United Nations, other appropriate international and regional organizations and States to redress the marginalization of Africa's contribution to world history and civilization by developing and implementing a specific and comprehensive programme of research, education and mass communication to disseminate widely a balanced and objective presentation of Africa's seminal and valuable contribution to humanity; (Adopted by 2nd PrepCom)

Introduction and reinforcement of human rights education

163. Urges States to encourage all schools to consider developing educational activities, including extra-curricular ones to raise awareness against racism, racial discrimination, xenophobia and related intolerance, inter alia, by commemorating the International Day for the Elimination of Racial Discrimination 21 March; (Adopted by 3rd PrepCom)

166 bis. Also urges States to promote an accurate presentation of history in education, highlighting the contributions of individuals, peoples and nations from different cultures and civilizations; (Adopted by 3rd PrepCom)

170. Urges States to pay specific attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the administration of justice and fair trial and to conduct nationwide campaigns, amongst other measures, to raise awareness among State organs and public officials concerning their obligations under the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant instruments; (Adopted by 2nd PrepCom)

4. Information, communication and the media, including new technologies

174. Urges States and encourages the private sector to promote the development by the media, including the print and electronic media, including the Internet and advertising, taking into account their independence, through their relevant associations and organizations at the national, regional and international levels, of a voluntary ethical code of conduct and self-regulatory measures, in order:

(a) To combat racism, racial discrimination, xenophobia and related intolerance and do away with stereotypes;

(b) To promote the fair, balanced and equitable representation of the diversity of their societies, ensuring that this diversity is reflected among their staff;

(c) To combat the proliferation of ideas of racial superiority, justification of racial hatred and discrimination in any form and to promote respect, tolerance and understanding among all individuals, peoples, nations and civilizations, for example through assistance in public awareness-raising campaigns;

(d) To avoid stereotyping in all its forms, and particularly the promotion of false images of migrants, including migrant workers, and refugees in order to prevent the spread of xenophobic sentiments among the public and to encourage the objective and balanced portrayal of people; (Adopted by 3rd PrepCom)

B. International level

185. Urges all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance; (Adopted by 3rd PrepCom)

189. Recommends that the Department of Peacekeeping Operations of the Secretariat and other concerned United Nations agencies, bodies and programmes strengthen their coordination to discern patterns of serious violations of human rights and humanitarian law with a view to assessing the risk of further deterioration that could lead to genocide, war crimes or crimes against humanity; (Adopted by 3rd PrepCom)

IV. PROVISION OF EFFECTIVE REMEDIES, RECOURSE, REDRESS [COMPENSATORY] AND OTHER MEASURES AT THE NATIONAL, REGIONAL AND INTERNATIONAL LEVELS

Legal assistance

191. Urges States to take all necessary measures to address, as a matter of urgency, the pressing requirement for justice for the victims of racism, racial discrimination, xenophobia and related intolerance and to ensure that victims have full access to information, support, effective protection and national, administrative and judicial remedies, including the right to seek just and adequate reparation or satisfaction for damage, as well as legal assistance, where required; (Adopted by 3rd PrepCom)

199. Urges States to reinforce the protection against racism, racial discrimination, xenophobia and related intolerance by ensuring that all persons have access to effective and adequate remedies and enjoy the right to seek from competent national tribunals and other national institutions just and adequate reparation and satisfaction for any damage as a result of such discrimination. It further underlines the importance of access to the law and to the courts for complainants of racism and racial discrimination and draws attention to the need for judicial and other remedies to be made widely known, easily accessible, expeditious and not unduly complicated; (Adopted by 3rd PrepCom)

V. STRATEGIES TO ACHIEVE FULL AND EFFECTIVE EQUALITY, INCLUDING INTERNATIONAL COOPERATION AND ENHANCEMENT OF UNITED NATIONS AND OTHER INTERNATIONAL MECHANISMS IN COMBATING RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE AND FOLLOW-UP

205. Calls upon States to apply diligently all commitments undertaken by them in the declarations and plans of action of the regional conferences in which they have participated, and to formulate national policies and action plans to combat racism, racial discrimination, xenophobia and related intolerance in compliance with the objectives set forth therein, and as provided for in other relevant instruments and decisions, and requests that, in cases where such national policies and action plans to combat racism, racial discrimination, xenophobia and related intolerance already exist, States incorporate in them the commitments arising from their regional conferences; (Adopted by 3rd PrepCom)

207. Urges States that have not yet done so to consider acceding to the Geneva Conventions, of 12 August 1949, and the two Additional Protocols thereto of 1977, as well as to other treaties of international humanitarian law, and to enact, with the highest priority, appropriate legislation, taking the measures required to give full effect to their obligations under international humanitarian law, in particular in relation to the rules prohibiting discrimination; (Adopted by 3rd PrepCom)

International legal framework

212. Urges States to take or strengthen measures, including through bilateral or multilateral cooperation, to address the root causes such as poverty, underdevelopment and lack of equal opportunity, some of which may be associated with discriminatory practices, which make persons, especially women and children, vulnerable to trafficking which may give rise to racism, racial discrimination, xenophobia and related intolerance; (Adopted by 2nd PrepCom)

215. Urges States to continue cooperating with the Committee on the Elimination of Racial Discrimination and other human rights treaty monitoring bodies in order to promote, including by means of a constructive and transparent dialogue, the effective implementation of the instruments they monitor and proper consideration of the recommendations Adopted by these bodies concerning complaints of racism, racial discrimination, xenophobia and related intolerance; (Adopted by 3rd PrepCom)

Office of the High Commissioner for Human Rights

241. Invites States to assist the Office of the High Commissioner for Human Rights in developing and funding specific technical cooperation projects, upon the request of States, aimed at combating racism, racial discrimination, xenophobia and related intolerance; (Adopted by 3rd PrepCom)

242. The World Conference:

(a) [Invites the Commission on Human Rights to include in the mandates of its special procedures a request to report on problems relating to racism, racial discrimination, xenophobia and related intolerance;]

(b) Calls upon States to cooperate with the relevant special procedures of the Commission on Human Rights and other mechanisms of the United Nations in matters pertaining to racism, racial discrimination, xenophobia and related intolerance, in particular with the special rapporteurs, special representatives and independent experts; (Adopted by 3rd PrepCom)

243. Recommends that the Commission on Human Rights prepare complementary international standards to strengthen and update international instruments against racism, racial discrimination, xenophobia and related intolerance in all their aspects; (Adopted by 3rd PrepCom)

247. Requests States to include the struggle against racism, racial discrimination, xenophobia and related intolerance among the activities undertaken within the framework of the United Nations Decade for Human Rights Education and to take into account the recommendations of the mid-term evaluation report of the Decade; (Adopted by 3rd PrepCom)

Indigenous peoples

250. Recommends that the United Nations Secretary-General conduct an evaluation of the results of the International Decade of the World's Indigenous People 1995-2004 and make recommendations concerning how to mark the end of this Decade, including appropriate follow-up; (Adopted by 3rd PrepCom)

251. Requests States to ensure adequate funding for the establishment of an operational framework and a firm basis for the future development of the Permanent Forum on Indigenous Issues within the United Nations system; (Adopted by 3rd PrepCom)

252. Urges States to cooperate with the work of the "Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People" and requests the Secretary-General and the High Commissioner for Human Rights to ensure that the Special Rapporteur is provided with all necessary human, technical and financial resources needed to fulfil his/her responsibilities; (Adopted by 3rd PrepCom)

253. Calls upon States to conclude negotiations on and approve as soon as possible the text of the Draft Declaration on the Rights of Indigenous Peoples, under discussion by the Working Group, in accordance with Commission on Human Rights resolution 1995/32; (Adopted by 3rd PrepCom)

255. Urges States, [to consider] in light of the relationship between racism, racial discrimination, xenophobia and related intolerance and poverty, marginality and social exclusion of peoples and individuals at both the national and international levels, to enhance their policies and measures to reduce income and wealth inequalities and to take appropriate steps, individually and through international cooperation [including through the provision of additional resources required], to promote and protect economic, social and cultural rights on a non-discriminatory basis; (Adopted by 2nd PrepCom)

257. Invites financial and development institutions and the operational programmes and specialized agencies of the United Nations, in accordance with their regular budgets and the procedures of their governing bodies:

(a) To assign particular priority to and allocate sufficient funding, within their areas of competence, to the improvement of the status of indigenous peoples, with special attention to the needs of these populations in developing countries, including, inter alia, the preparation of specific programmes with a view to achieving the objectives of the International Decade of the World's Indigenous People;

(b) To carry out special projects, through appropriate channels and in collaboration with indigenous peoples, to support their initiatives at the community level and to facilitate the exchange of information and technical know-how between indigenous peoples and experts in these areas; (Adopted by 3rd PrepCom)

Youth

264. Urges States to encourage the full and active participation of youth, as well as to involve them more closely, in the elaboration, planning and implementation of activities to fight racism, racial discrimination, xenophobia and related intolerance, and calls upon States, in partnership with non-governmental organizations and other sectors of society, to facilitate both national and international youth dialogue on racism, racial discrimination, xenophobia and related intolerance, through the World Youth Forum of the United Nations system and through the use of new technologies, exchanges and other means. (Adopted by 3rd PrepCom)